

NIH Partnership Council Minutes

Tuesday, January 16, 2001

Attendees: John Driscoll, Richard Laubach, Rich Southers, Mike Showers, Howard Hochman, Steve Benowitz, Maria Gorrasi, Steve Rivero, Mildred Clark, Walter Jones, Charles Palmer, Penney Baile

Facilitator: Fern Kaufman

Old Business: Minutes of November 20, 2000, Council meeting reviewed and approved. (Note: There are no minutes from the December meeting, since it was adjourned due to lack of attendance.)

New Business:

ORS budget process presentation-- postponed since Herb Holder was out ill

Ideas for future Council activities--

1) Proposal from Mr. Laubach: Extend the Panel decision on parking/traffic tickets to all NIH employees on campus.

Members were provided copies of the Federal Service Impasses Panel Decision and Order on Case No: 00 FSIP 123. The Panel ruled on collective bargaining proposals submitted by AFGE Local 2419 and NIH. Subject of discussion was the Panel's order to adopt the following language: "When an employee receives a traffic or parking ticket from the Agency police force, the employee has the right to defend such tickets in court. In cases where the employee's citation is rescinded and/or the employee is completely exonerated in his/her case on the merits before the court on liaison, the Agency will convert any annual leave the employee requested to defend him/herself to administrative leave. This includes time required to report to, attend, and return from court. This provision will only apply to Agency issued traffic and parking violations." The Council had previously taken no action on this matter because it was a subject of collective bargaining.

Mr. Laubach said that currently some employees just pay their tickets, because it is more expensive to attend court and fight it. Mr. Laubach also mentioned that the union had previously recommended a process in which tickets could be resolved on campus without the need for employees to go to court. He said someone had looked into that possibility and said it could not be done-- he recommended this be revisited. Mr. Driscoll said it was a process worth looking into. Mr. Laubach stated he believed there would be Agency benefit derived from extending the Panel-ordered language campus-wide and in resolving tickets on campus. He cited reduction in overtime as an example of Agency benefit.

2) Review of the decision NIH would not subsidize a daycare program.

Mr. Laubach said he found out earlier that day that the issue of subsidized daycare was “dead” due to financial considerations. Mr. Benowitz provided background. The review of this program was undertaken based on a law effective in FY00 that was extended through September of 2001. OD OHRM and the Work & Family Life Center initiated discussions on this potential program with other NIH entities. A group representative of NIH, including a union representative, met and put together options on this program. Feedback obtained by the group was that it was a good program, but there are other NIH programs competing for the needed funds. This information was provided to the NIH Deputy Director, who then made the decision not to subsidize daycare based on NIH funding needs. The facilitator asked the group what possible action it could take given the Director’s decision. Mr. Laubach suggested the Partnership Council issue a joint letter to the NIH Director in support of subsidized daycare. Mr. Benowitz stated he felt that the daycare issue was not a partnership issue, that the Partnership Council simply had a representative on this committee reviewing the NIH-wide issue. He said it wasn’t an issue of the union not having representation, it’s just that the committee’s suggestions were not adopted. He said if the legislation is extended, it is a matter that can later be revisited.

3) Review of what happened to the “Partnership Council process” of the daycare subsidy committee, and discussion of the role of the Council in projects referred to as Partnership initiatives.

On the above-described daycare decision, Mr. Laubach said the Council had agreed to have a union representative on the committee, but the rep was not appraised before a decision was made. Mr. Laubach said the Council had agreed upon a process, but it appeared to have fallen through the cracks. There was no interaction between the union rep on the daycare committee and the Partnership Council. Mr. Laubach said it would carry more weight if communication came forth from the Council, not just one committee representative. Mr. Benowitz noted that only 10% of NIH employees are represented by unions. Mr. Laubach said that is a basic problem– the Council will never have impact on NIH-wide issues because management keeps saying unions only represent 10% of the employees. He said we could end the NIH Council now.

The facilitator asked the group, “What do you consider a Partnership initiative?” Mr. Jones offered an example of what is NOT a Partnership initiative. The Partnership Council was asked for a union representative to be a member of the CIVIL Advisory Committee. The union representative is only one member of an NIH-wide committee.

Mr. Laubach said it can be a precarious situation when a union representative is on a committee, because it can circumvent basic labor relations obligations. The facilitator noted that unions are still owed formal notices to afford the opportunity for bargaining.

The facilitator asked how the process pertaining to the daycare committee could have been improved. Mr. Laubach said he felt disconnected from the process. He said the union rep on the committee had relayed three or four different daycare options to him, and scraping it was not one of them. The facilitator asked what should happen if the union participates in this type of

committee again. It was discussed that union participation in committees is beneficial, but there is a need for an understanding of the process. Mr. Laubach said he wanted a direct connection to decision makers. Ms. Clark said she wanted a discussion of pre-decisional involvement– that it should be discussed with the union rep what will happen; the results shouldn't just be placed in everyone's envelope. Mr. Driscoll said that union representatives need to deal with decision-making authorities, and noted that's why he was participating in a lower-level partnership council.

4) Establishing lower level partnership councils

It was discussed that this initiative needs to come from the lower levels. Mr. Driscoll noted that he is participating in a lower level council, and he said he is aware of another union at NIH that hasn't seen the need for a lower level council. Mr. Laubach said that Local 2419 negotiated forming a lower-level council, and he suggested that if lower level partnerships have successes they need to be communicated. The facilitator noted that the main issue seems to be the need to increase communication between lower level partnership councils and the NIH Council. Mr. Benowitz noted that HHS Partnership Council minutes can be found on the web.

Other issues:

- Mr. Benowitz stated the Partnership Council should go beyond focusing on employee benefits and should focus on programmatic issues that improve our organization. We should strive to improve the efficiency and effectiveness of what NIH does. The facilitator said this should serve as a reminder to the group.
- Mr. Laubach inquired about the “media effort” on Partnership. Ms. Gorrasi noted that articles had already been run in the NIH Record and the Clinical Center News. Another article should be placed in the NIH Advocate. Ms. Gorrasi informed the group that the employee who had been working on the Web page was hospitalized. Mr. Laubach stated he wanted the opportunity to review and approve the Web page before it goes live. Mr. Laubach also mentioned that there were previous suggestions of a poster and a logo that needed to be pursued.
- Due to the Monday, February 19, holiday, it was agreed the Council would meet on Thursday, February 15, at 2:30 p.m. Members will be notified of the location.